

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Please cancel claims 28 and 29 without prejudice or disclaimer.

Please rewrite claims 1-6, 10-15 and 22-24 as follows:

Listing of Claims:

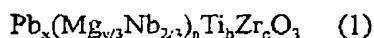
Claim 1 (currently amended): A piezoelectric element comprising:

a ceramic substrate;

a piezoelectric portion made of a piezoelectric ceramic composition containing a $\text{PbMg}_{1/3}\text{Nb}_{2/3}\text{O}_3$ - PbZrO_3 - PbTiO_3 ternary system solid solution composition having an average particle diameter of 1 – 10 μm with a maximum particle diameter being not more than 5 times as large as the average particle diameter ~~or less~~ and being represented by the following general formula (1) as a main component and 0.05 to 10.0 mass% of $\text{NiO}_{1/2}$ and

an electrode;

wherein said electrode is electrically connected to said piezoelectric portion, and said piezoelectric portion is solidly attached to the ceramic substrate directly or via said electrode;



wherein $0.95 \leq x \leq 1.05$; $0.8 \leq y \leq 1.0$; a, b and c are decimals falling in a range surrounded by (a,b,c) = (0.550, 0.425, 0.025), (0.550, 0.325, 0.125), (0.375, 0.325, 0.300), (0.100, 0.425, 0.475), (0.100, 0.475, 0.425) and (0.375, 0.425, 0.200) in the coordinates with coordinate axes of said a, b and c, and $a+b+c = 1.00$.

Claim 2 (currently amended): A piezoelectric element comprising:

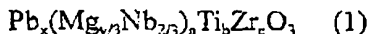
a ceramic substrate;

a plurality of piezoelectric ~~portion-portions~~ made of a piezoelectric ceramic composition containing a $\text{PbMg}_{1/3}\text{Nb}_{2/3}\text{O}_3$ - PbZrO_3 - PbTiO_3 ternary system solid solution composition represented by the following general formula (1) as a main component and 0.05 to 10.0 mass% of $\text{NiO}_{1/2}$ and

a plurality of electrodes;

wherein said plurality of piezoelectric ~~portion-portions~~ are laminated with interposing negative electrodes and positive electrodes of said electrodes alternately in each gap between

said piezoelectric portions and a lowermost piezoelectric portion is solidly attached to the ceramic substrate directly or via said electrode;



wherein $0.95 \leq x \leq 1.05$; $0.8 \leq y \leq 1.0$; a, b and c are decimals falling in a range surrounded by (a,b,c) = (0.550, 0.425, 0.025), (0.550, 0.325, 0.125), (0.375, 0.325, 0.300), (0.100, 0.425, 0.475), (0.100, 0.475, 0.425) and (0.375, 0.425, 0.200), in the coordinates with coordinate axes of said a, b and c, and $a+b+c = 1.00$.

Claim 3 (currently amended): A piezoelectric element according to Claim 2, wherein said ternary system solid solution composition has an average particle diameter of 1 – 10 μm with a maximum particle diameter being not more than 5 times as large as the average particle diameter or less.

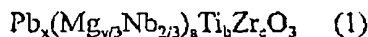
Claim 4 (currently amended): A piezoelectric element comprising:

a ceramic substrate;

a piezoelectric portion made of a piezoelectric ceramic composition containing a $\text{PbMg}_{1/3}\text{Nb}_{2/3}\text{O}_3$ - PbZrO_3 - PbTiO_3 ternary system solid solution composition represented by the following general formula (1) as a main component and 0.05 to 10.0 mass% of NiO, and said piezoelectric ceramic composition contain particles having NiO as a main component on the surface and/or in the interior thereof;

an electrode;

wherein said electrode is electrically connected to said piezoelectric portion, and said piezoelectric portion is solidly attached to the ceramic substrate directly or via said electrode;



wherein $0.95 \leq x \leq 1.05$; $0.8 \leq y \leq 1.0$; a, b and c are decimals falling in a range surrounded by (a,b,c) = (0.550, 0.425, 0.025), (0.550, 0.325, 0.125), (0.375, 0.325, 0.300), (0.100, 0.425, 0.475), (0.100, 0.475, 0.425) and (0.375, 0.425, 0.200), in the coordinates with coordinate axes of said a, b and c, and $a+b+c = 1.00$.

Claim 5 (currently amended): A piezoelectric element according to Claim 4, wherein said ternary system solid solution composition has an average particle diameter of 1 – 10 μm with

a maximum particle diameter being not more than 5 times as large as the average particle diameter ~~or less~~.

Claim 6 (currently amended): A piezoelectric element according to Claim 4, wherein said particles having NiO as a main component ~~is~~are obtained by subjecting MgO to a solid solution treatment.

Claim 7 (original): A piezoelectric element according to Claim 1, wherein Ni is dispersed in said piezoelectric ceramic composition in such a concentration gradient that the concentration of Ni becomes higher from the interface between said piezoelectric portion and said substrate towards the thickness direction of the piezoelectric portion.

Claim 8 (original): A piezoelectric element according to Claim 2, wherein Ni is dispersed in said piezoelectric ceramic composition in such a concentration gradient that the concentration of Ni becomes higher from the interface between said piezoelectric portions and said substrate towards the thickness direction of the piezoelectric portions.

Claim 9 (original): A piezoelectric element according to Claim 4, wherein Ni is dispersed in said piezoelectric ceramic composition in such a concentration gradient that the concentration of Ni becomes higher from the interface between said piezoelectric portion and said substrate towards the thickness direction of the piezoelectric portion.

Claim 10 (currently amended): A piezoelectric element according to Claim 1, wherein Pb in said piezoelectric ceramic composition is replaced ~~by~~with at least one kind of element selected from the group consisting of Sr, Ca and Ba, ~~by~~in an amount of 2 to 10 mole % ~~in the whole Pb~~.

Claim 11 (currently amended): A piezoelectric element according to Claim 2, wherein Pb in said piezoelectric ceramic composition is replaced ~~by~~with at least one kind of element selected from the group consisting of Sr, Ca and Ba, ~~by~~in an amount of 2 to 10 mole % ~~in the whole Pb~~.

Claim 12 (currently amended): A piezoelectric element according to Claim 4, wherein Pb in said piezoelectric ceramic composition is replaced by with at least one ~~kind of~~ element selected from the group consisting of Sr, Ca and Ba, by in an amount of 2 to 10 mole % in the whole Pb.

Claim 13 (currently amended): A piezoelectric element according to Claim 1, wherein Pb in said piezoelectric ceramic composition is replaced by with La by in an amount of 0.2 - 1.0 mole % in the whole Pb.

Claim 14 (currently amended): A piezoelectric element according to Claim 2, wherein Pb in said piezoelectric ceramic composition is replaced by with La by in an amount of 0.2 - 1.0 mole % in the whole Pb.

Claim 15 (currently amended): A piezoelectric element according to Claim 4, wherein Pb in said piezoelectric ceramic composition is replaced by with La by in an amount of 0.2 - 1.0 mole % in the whole Pb.

Claim 16 (original): A piezoelectric element according to Claim 1, wherein said piezoelectric portion has a thickness of 1 to 300 μm .

Claim 17 (original): A piezoelectric element according to Claim 2, wherein said piezoelectric portions have a thickness of 1 to 300 μm .

Claim 18 (original): A piezoelectric element according to Claim 1, wherein said piezoelectric portion has a thickness of 1 to 300 μm .

Claim 19 (original): A piezoelectric element according to Claim 1, wherein said substrate has a thickness of 3 μm to 1 mm.

Claim 20 (original): A piezoelectric element according to Claim 2, wherein said substrate has a thickness of 3 μm to 1 mm.

Claim 21 (original): A piezoelectric element according to Claim 4, wherein said substrate has a thickness of 3 μm to 1 mm.

Claim 22 (currently amended): A piezoelectric element according to Claim 1, wherein the ratio of the thickness of the substrate to the thickness of the piezoelectric portion (~~the thickness of the substrate / the thickness of the piezoelectric portion~~) is 0.1 to 30.

Claim 23 (currently amended): A piezoelectric element according to Claim 2, wherein the ratio of the thickness of the substrate to the thickness of the piezoelectric portions (~~the thickness of the substrate / the thickness of the piezoelectric portions~~) is 0.1 to 30.

Claim 24 (currently amended): A piezoelectric element according to Claim 4, wherein the ratio of the thickness of the substrate to the thickness of the piezoelectric portion (~~the thickness of the substrate / the thickness of the piezoelectric portion~~) is 0.1 to 30.

Claim 25 (original): A piezoelectric element according to Claim 1, wherein a cross-section of said substrate in the thickness direction has a W-like shape having three inflection points.

Claim 26 (original): A piezoelectric element according to Claim 2, wherein a cross-section of said substrate in the thickness direction has a W-like shape having three inflection points.

Claim 27 (original): A piezoelectric element according to Claim 4, wherein a cross-section of said substrate in the thickness direction has a W-like shape having three inflection points.

Claim 28-29 (canceled)